

REMARKS/ARGUMENTS

Claims 2-37 stand rejected. Claims 1, 5, 16, and 29 were previously canceled without prejudice. In this paper, claims 3, 6, 7, 11, 12-15, 17, 18, 20, 24-28, 30, 31, 33, and 37 have been amended.

Applicants believe the amendments made herein add no new matter. Any amendment to the claims which has been made in this Amendment and Response, and which has not been specifically noted to overcome a rejection based on prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to be attached thereto. Reconsideration and reexamination of the application is respectfully requested in view of the amendments and the following remarks.

Objection to Claims

Claims 18 stands objected to as allegedly depending from a cancelled claim. The objection is traversed.

Claim 18 has been amended to change its dependency from claim 16 to claim 11. Applicants request withdrawal of the objection.

Rejection Under 35 U.S.C. §112, ¶2

Claims 2-4, 6-9, 11-15, 16-28, and 30-36 stand rejected under 35 U.S.C. §112, ¶2, as allegedly indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. The rejection is traversed.

The Examiner asserts that claim 3, 2d line, claim 11, 3d paragraph, and claim 24, 3d paragraph recite the limitation "the first diameter," and that there is insufficient antecedent basis for this limitation. The Examiner asserts that it is not clear from the claim language if this limitation refers to the first diameter of the bulb end portion of the

first mounting stud or the first diameter of the bulb end portion of the second mounting stud.

Claim 3 has been amended to replace the phrases "the first diameter" and "the second diameter" with the phrases "the bulb diameter" and "the neck diameter," respectively. Claim 37, from which claim 3 depends, has been similarly amended for consistency.

Claim 11 has been amended to replace the phrase "a first mounting stud comprising a bulb end portion having a first diameter and a neck portion having a second diameter" with the phrase "a first mounting stud comprising a first bulb end portion having a first bulb diameter and a first neck portion having a first neck diameter." Claim 11 has also been amended to replace the phrase "a second mounting stud comprising a bulb end portion having a first diameter and a neck portion having a second diameter" with the phrase "a second mounting stud comprising a second bulb end portion having a second bulb diameter and a second neck portion having a second neck diameter." Claim 11 has been further amended, and claims 17 and 18 have been amended to maintain consistency with the above amendments to claim 11.

Claim 24 has been amended to replace the phrases "a first mounting stud comprising a bulb end portion having a first diameter and a neck portion having a second diameter" and "a second mounting stud comprising a bulb end portion having a first diameter and a neck portion having a second diameter" with the phrases "a first mounting stud comprising a bulb end portion having a first bulb diameter and a neck portion having a first neck diameter" and "a second mounting stud comprising a bulb end portion having a second bulb diameter and a neck portion having a second neck diameter," respectively.

The Examiner also asserts that claim 3, 2d line, claims 6 and 17, 1st/2d line, claims 7 and 18, 1st line, claim 11, 3d paragraph, and claim 24, 3d paragraph, recite the limitations "the neck portion" and/or "the bulb end portion" that have an insufficient antecedent basis.

Applicants submit that the above-described amendments to claims 3, 6, 7, 11, 17, 18, and 24 resolve the alleged antecedent basis problem.

The Examiner also asserts that "similar problems exist with the limitation 'the aperture' in claims 2, 3, and 8.

Applicants submit that amended claim 37, from which claims 2, 3, and 8 depend, is sufficiently clear concerning the existence of the connector and the aperture. Amended claim 37 provides that the connector comprises 1) a generally cylindrical neck portion having a neck diameter and a somewhat cylindrical bulb end portion having a bulb diameter greater than the neck diameter, and 2) a circular aperture having a diameter essentially equal to the neck diameter and smaller than the bulb diameter. Claims 2, 3, and 8 continue this focus on a single neck portion, bulb end portion, and aperture.

Claim 2, in relevant part, calls for the stud to be adapted to be snap-fit within the aperture. Amended claim 3, in relevant part, calls for the neck portion to be adapted for snap-fit communication of the bulb end portion with the aperture. Claim 8 calls for the aperture to comprise an aperture wall inclined approximately 10°. Thus, claims 2, 3, 8, and 37 address the communicating relationship between the stud and the aperture. Claims 2, 3, 8, and 37 are not indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as their invention.

Applicants request withdrawal of the rejection, and the allowance of claims 2-4, 6-9, 11-15, 16-28, and 30-36.

Rejection Under 35 U.S.C. §102(b)

Claims 2-4, 10, and 37 stand rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent Application Publication No. 2002/0130239 of Ishigami et al. The rejection is traversed.

The claimed invention is not anticipated under §102 unless each and every element of the claimed invention is found in the prior art. *Hybritech, Inc. v. Monoclonal Antibodies, Inc.*, 231 USPQ 81, 90 (Fed. Cir. 1986). To anticipate, a single reference must teach each and every limitation of the claimed invention. *Eolas Technologies Inc. v. Microsoft Corp.*, 399 F.3d 1325, 1335; 73 U.S.P.Q.2D (BNA) 1782 (Fed. Cir. 2005). The identical invention must be shown in as complete detail as is contained in the claim. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The rejection fails to satisfy these standards.

Ishigami '239 discloses a mirror 10 for a vehicle comprising a rear side visor rim 28A and a front side visor cover 28B, which are interconnectable by a connector comprising pairs of J-shaped nipping claws 38 in the visor rim 28A. The nipping claws 38 are adapted to resiliently engage a corresponding number of cantilevered projecting hooks 48 in the visor cover 28B. The projecting hooks 48 terminate at a free end in a rectilinear, somewhat diamond-shaped widened portion 50 which is adapted to engage the distal ends of the nipping claws 38. When the hooks 48 are inserted into engagement with the nipping hooks 38, the nipping hooks 38 resiliently deform, and the widened portions 50 retain the projecting hooks 48 into engagement with the nipping claws 38. As a result, the visor cover 28B is held to the visor rim 28A.

A tilt actuator 16 is mounted to a frame 12 having a plurality of rectangular holes 24 adapted for insertion of the hooks 48 therethrough into the nipping claws 38 to retain the frame 12 between the rear side visor rim 28A and the front side visor cover 28B.

The Examiner asserts that “the at least one connector comprises a neck portion (66) having a second diameter, transitioning to a bulb end portion (end of 66) having a first diameter greater than the second diameter, and an aperture (24) having a diameter greater than the second diameter and smaller than the first diameter.”

Claim 37 has been amended, and, in pertinent part, now calls for the connector to comprise a generally cylindrical neck portion having a neck diameter, transitioning to a

somewhat cylindrical bulb end portion having a bulb diameter greater than the neck diameter, and a circular aperture having a diameter greater than the neck diameter and smaller than the bulb diameter.

Claim 37 is patentable over Ishigami '239. Ishigami '239 does not disclose a connector having a generally cylindrical neck portion transitioning to a somewhat cylindrical bulb end portion wherein the bulb end portion has a bulb diameter greater than the neck diameter, or a circular aperture having a diameter essentially equal to the neck diameter and smaller than the bulb diameter. Instead, Ishigami '239 discloses nipping claws 38, projecting hooks 48, and holes 24 which are rectilinear and neither cylindrical nor circular. The projecting hooks 48 and the holes 24, in particular, are rectilinear, i.e. without circularity.

Furthermore, claim 37 calls for a columnar snap-fit connection when the bulb end portion is inserted through the aperture which securely retains the mounting frame to the mirror shell and/or the tilt actuator to the mounting frame. The projecting hooks of Ishigami '239 do not join the tilt actuator to the mounting frame. Indeed, Ishigami '239 does not disclose how the tilt actuator is attached to the mounting frame. Furthermore, the projecting hooks of Ishigami '239 do not join the mounting frame to the mirror shell through a columnar snap-fit connection. This is clearly illustrated in Figures 4 and 5 which show the holes separated from the projecting hooks. The projecting hooks of Ishigami '239 at most pass through the holes and in no way engage the holes in a snap-fit connection. Thus, Ishigami '239 does not teach each and every limitation of the invention of claim 37 in as complete detail as is contained in claim 37. Claim 37 is patentable over Ishigami '239.

Since claims 2-4 and 10 depend from claim 37, they are for the same reasons patentable over Ishigami '239. Applicants request withdrawal of the rejection, and the allowance of claims 2-4, 10, and 37.

Rejection Under 35 U.S.C. §103(a)

Claims 6-9, 16-19, and 29-32 stand rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Ishigami '239 in view of U.S. Patent No. 3,843,236 to Kurz. The rejection is traversed.

Claims 16 and 29 were canceled without prejudice in Applicants' previous Amendment and Response filed June 25, 2007. Thus, the rejection is inapplicable to claims 16 and 29. Applicants request withdrawal of the rejection of claims 16 and 29.

Kurz '236 discloses connectors for attaching a mirror to a padded sun visor. The connectors are attached to the mirror and are inserted into apertures 14 in the visor. One embodiment of the connectors 64 comprises a head 66, a shoulder 68, and a connecting member 70 extending between the head 66 and the shoulder 68. The head 66 comprises a retaining flange 74 defined in part by a tapered leading edge 72. The retaining flange 74 transitions to the connecting member 70 through a tapered trailing edge 76.

The connecting member 70 has a diameter less than the diameter of the aperture 14. *Kurz '236, col. 7, ln. 17-20*. It is not necessary that the connecting member 70 contact the aperture 14 because "when the mirror 62 is mounted on the visor, the mirror will slightly compress the padding layer 17 and be retained in that position by the retaining flange 74, as shown in FIG. 3, thereby maintaining the mirror 62 securely and stably on the visor 10." *Ibid., col. 7, ln. 28-33. See, also, col. 6, ln. 47-51*. In other words, the connecting member 70 is held in the aperture 14 solely as a result of the tensile force imposed by the compressed padded layer 17. Contact between the connecting member 70 and the aperture 14 does not contribute to the effectiveness of the connection, and the connecting member 70 remains free to move radially within the aperture 14. This is also borne out by the disclosure that the shoulder 68 need not contact the surface of rigid members 16, which comprise an internal supporting body for the visor. *Ibid., col. 7, ln. 33-38*.

To establish a *prima facie* case of obviousness, several basic criteria must be met. Under *Graham v. John Deere*, 383 U.S. 1 (1966), it is necessary to 1) determine the scope and content of the prior art; 2) ascertain the differences between the prior art and the claims at issue; 3) resolve the level of ordinary skill in the pertinent art; and 4) evaluate evidence of secondary consideration. Additionally, the obviousness evaluation will be informed by a showing of teaching, suggestion, or motivation that would lead a person of ordinary skill in the art to combine the prior art to meet the claimed subject matter, although a rigid application of this showing is not required. The obviousness analysis must be explicit, and it is necessary to identify a reason that would have prompted a person of ordinary skill in the relevant field to combine the prior art elements in the manner claimed. *KSR Int'l Co. v. Teleflex, Inc.*, 550 U.S. __; 127 S. Ct 1727; 82 U.S.P.Q.2d (BNA) 1385 (2007).

The analysis of whether there was an apparent reason to combine known elements in the fashion claimed should be made explicit. In formulating a rejection under 35 U.S.C. § 103(a) based upon a combination of prior art elements, it remains necessary to identify the reason why a person of ordinary skill in the art would have combined the prior art elements in the manner claimed. *May 3, 2007 Memorandum from Margaret A. Focarino, Deputy Commissioner for Patent Operations, to Technology Center Directors.*

Claim 6 depends from claim 37 and, thus, incorporates the limitations of claim 37. Claim 37 calls for a vehicular mirror assembly comprising a mounting frame adapted to be coupled to a vehicle, a mirror shell mounted to the mounting frame and comprising a rearwardly-facing opening, a reflective element mounted within the mirror shell in register with the rearwardly-facing opening, a tilt actuator mounted to the mounting frame, and to the reflective element for tiltably actuating the reflective element, and at least one connector joining at least one of (1) the mounting frame and the mirror shell, and (2) the tilt actuator and the mounting frame.

The at least one connector comprises a generally cylindrical neck portion having a neck diameter, transitioning to a somewhat cylindrical bulb end portion having a bulb diameter greater than the neck diameter, and a circular aperture having a diameter essentially equal to the neck diameter and smaller than the bulb diameter for slidable contact of the neck portion with the aperture, to provide a columnar snap-fit connection when the somewhat cylindrical bulb end portion is inserted through the aperture, which securely retains the at least one of (1) the mounting frame to the mirror shell, and (2) the tilt actuator to the mounting frame.

The Examiner concedes that Ishigami '239 fails to disclose the bulb end portion comprising an annular face having an approximately 45° bevel, the neck portion comprising a truncated cone inclined approximately 10°, the aperture comprising a wall inclined approximately 10°, and the stud comprising a bore extending coaxially therethrough. The Examiner asserts that Kurz '236 teaches a bulb end comprising an annular face having an approximately a 45° bevel, a neck portion comprising a truncated cone inclined approximately 10°, and a stud comprising a bore extending coaxially therethrough. The Examiner also identifies the neck portion as element 70 and the bulb end as element 66. The Examiner also asserts with respect to the aperture comprising a wall inclined approximately 10 degrees that "one of ordinary skill would have understood that slightly inclining the aperture wall would allow the stud to be inserted more easily and would reduce vibrations when matched to the incline of the neck portion."

Finally, the Examiner asserts that "it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide a mounting stud like that of Kurz to the assembly of Ishigami. One would have been motivated to do this to provide a secure, removable snap-fit connection that is easy to assemble and helps prevent the transmission of vehicle vibrations to the mirror (Kurz con. 2)."

Initially, the Examiner's attributions relative to Kurz '236 are patently false. Nowhere does Kurz '236 disclose a bulb end comprising an annular face having an

approximately 45° bevel, or a neck portion comprising a truncated cone inclined approximately 10°. Indeed, Kurz '236 says nothing of the angle of inclination of an annular face or a neck portion. Because Kurz '236 does not disclose the limitations attributed to it by the Examiner, Kurz '236 cannot support the rejection. Thus, the rejection must fail.

The Examiner has failed to support a prima facie finding of obviousness. The Examiner has failed to 1) determine the scope and content of the prior art; 2) ascertain the differences between the prior art and the claims at issue; 3) resolve the level of ordinary skill in the pertinent art; and 4) evaluate evidence of secondary considerations with the requisite explicitness. Additionally, the Examiner has identified no legally sufficient teaching, suggestion, or motivation that would lead a person of ordinary skill in the art to combine the prior art to meet the claimed subject matter. Indeed, there is none.

Ishigami '239 discloses a connection assembly for joining two housing shells together comprising rectilinear projecting hooks having a diamond-shaped head adapted to be resiliently retained in J-shaped claws. Kurz '236 discloses a connection assembly for removably joining a mirror to a sun visor. Each of the connection assemblies is perfectly adequate for the connection contemplated in the respective reference. There would be no motivation whatsoever, and there is no teaching or suggestion in either reference, for combining Ishigami '239 with Kurz '236. Neither connection assembly offers an advantage over the connection assembly already selected in each reference. It is clear that the Examiner is relying on impermissible hindsight reconstruction to pick and choose references, utilizing Applicants' disclosure as a blueprint. This is inadequate and improper for a rejection under 35 U.S.C. § 103(a).

The Examiner's rationale for making the combination is completely contrived. The Examiner asserts that one would have been motivated to provide the mounting stud of Kurz '236 to the assembly of Ishigami '239 "to provide a secure, removable snap-fit connection that is easy to assemble and helps prevent the transmission of vehicle

vibrations to the mirror." However, the connection assembly of Ishigami '239 already accomplishes these objectives. It is obvious from a reading of Ishigami '239 that the engagement of the projecting hooks with the J-shaped claws operates to provide a snap-fit connection. The connection is removable. *Ishigami '239*, ¶[0097]. It is also easy to assemble. *See, e.g. Ishigami '239*, ¶¶ [0091]-[0095]. Finally, nothing in Kurz '236 suggests that vehicle vibrations will not be transmitted to the mirror. Rather, the only reference to vehicle vibration is that the connectors "will retain the mirror on the visor even under prolonged conditions of severe vibration." *Kurz '236*, col. 2, ln. 16-18. This statement does not indicate that vehicle vibrations will not be transmitted to the mirror. It only indicates that severe vibration will not dislodge the mirror from the visor. Thus, the Examiner's rationale is inadequate to support the rejection, and the rejection cannot be sustained.

Even if the combination were proper, which it is not, the resulting device would not reach the invention of claim 6. Claim 6 depends from claim 37 and, consequently, incorporates all the limitations of claim 37. Claim 37, as amended, calls for a connector comprising, in part, a circular aperture having a diameter essentially equal to the neck diameter for slidable contact of the neck portion with the aperture. The slidable engagement of the neck portion with the aperture minimizes vibration that would occur with radial displacement of the neck portion in the aperture. Minimization of this vibration is critical for proper mirror function. Excessive vibration would render the mirror image unacceptable.

In contrast, the connector of Kurtz '236 does not comprise a slidable contact between the connecting member 70 and the aperture 14. Indeed, Kurtz '236 clearly discloses that there is no such contact. The holding of the mirror to the visor is due entirely to the compression of the padding layer 17. This configuration would be entirely unworkable in an exterior rearview mirror because of the vibration of the mirror relative to the visor. *Ishigami 239* in combination with Kurtz '236 does not reach the invention of claim 37. Consequently, the combination does not reach the invention of claim 6.

Furthermore, claim 6, in part, calls for a bulb end portion which is somewhat cylindrical. As discussed above, Ishigami '239 does not disclose a cylindrical bulb end portion. Element 66 of Kurz '236 is somewhat ring-like, having opposed inclined surfaces joined at a circumferential apex to define an annular wedge-shape. The combination of Ishigami '239 and Kurz '236 would at best result in a connection having a stud terminating in a ring-like annular wedge-shaped end having opposed inclined surfaces joined at a circumferential apex. This is not the invention of claim 6.

Claims 7-9 also depend from claim 37 and, for essentially the same reasons as claim 6, are patentable over Ishigami '239 in view of Kurz '236. Applicants request withdrawal of the rejection, and the allowance of claims 6-9.

Claims 17-19 depend from claim 11. Thus, claims 17-19 incorporate the limitations of claim 11. Claim 11, in pertinent part, calls for at least one of a first generally cylindrical mounting stud and at least one of a second generally cylindrical mounting stud. The at least one of a first generally cylindrical mounting stud comprises a somewhat cylindrical first bulb end portion having a first bulb diameter and a generally cylindrical first neck portion having a first neck diameter smaller than the first bulb diameter, the first neck diameter being essentially equal to the first aperture diameter for slidable contact of the first neck portion with the at least one of the first mounting aperture, and the first bulb end portion adapted for supporting communication with the mounting frame. The at least one of a second generally cylindrical mounting stud comprises a somewhat cylindrical second bulb end portion having a second bulb diameter and a generally cylindrical second neck portion having a second neck diameter smaller than the second bulb diameter, the second neck diameter being essentially equal to the second aperture diameter for slidable contact of the second neck portion with the at least one of the second mounting aperture, and the second bulb end portion adapted for supporting communication with the tilt actuator assembly.

The Examiner asserts the same rationale for combining Ishigami '239 with Kurz '236 relative to claims 17-19 as asserted relative to claims 6-9. For the same reasons discussed with respect to claims 6-9, the combination of Ishigami '239 with Kurz '236 is improper relative to claims 17-19, and claims 17-19 are patentable over Ishigami '239 in view of Kurz '236. Applicants request withdrawal of the rejection, and the allowance of claims 17-19.

Claims 30-32 depend from claim 24. Thus, claims 30-32 incorporate the limitations of claim 24. Claim 24, in pertinent part, calls for at least one of a first generally cylindrical mounting stud and at least one of a second generally cylindrical mounting stud. The at least one of a first generally cylindrical mounting stud comprises a somewhat cylindrical bulb end portion having a first bulb diameter and a generally cylindrical neck portion having a first neck diameter smaller than the first bulb diameter, the first neck diameter being essentially equal to the first aperture diameter for slidable contact of the neck portion with the at least one of the first mounting aperture, and the bulb end portion adapted for supporting communication with the mounting frame. The at least one of a second generally cylindrical mounting stud comprises a somewhat cylindrical bulb end portion having a second bulb diameter and a generally cylindrical neck portion having a second neck diameter smaller than the second bulb diameter, the second neck diameter being essentially equal to the second aperture diameter for slidable contact of the neck portion with the at least one of the second mounting aperture, and the bulb end portion adapted for supporting communication with the tilt actuator assembly.

The Examiner asserts the same rationale for combining Ishigami '239 with Kurz '236 relative to claims 30-32 as asserted relative to claims 6-9. For the same reasons discussed with respect to claims 6-9, the combination of Ishigami '239 with Kurz '236 is improper relative to claims 30-32, and claims 30-32 are patentable over Ishigami '239 in view of Kurz '236. Applicants request withdrawal of the rejection, and the allowance of claims 30-32.

Claims 11-15, 21-28, and 34-36 stand rejected under 35 U.S.C. 103(a) as allegedly unpatentable over Ishigami '239 in view of U.S. Patent No. 7,033,033 to Ishigami. The rejection is traversed.

Ishigami '033 discloses a vehicle mirror assembly 10 having a connecting mechanism for connecting a tilt actuator 30 to a mirror housing 12. The connecting mechanism comprises a "columnar abut-pillar" 18, *Ishigami '033, col. 5, ln. 67*, attached to the housing 12 supporting a "flat plate-shaped insert-protrusion" 20, *Ibid, col.6, ln. 7-8*. A latching portion 22 "protrudes from the insert portion 20 so as to have a trapezoidal or triangular cross-sectional configuration." *Ibid, col. 6, ln. 16-18*. The insert protrusion 20 engages an insertion hole 44 in an insertion cylinder 40 in the tilt actuator 30 to secure the tilt actuator 30 to the mirror housing 12.

The Examiner concedes that "Ishigami '239 is silent on how the tilt actuator is mounted and thus lacks specific mention of a second mounting stud of the mounting frame and the tilt actuator assembly having a second mounting aperture." The Examiner then cites Ishigami '033 as disclosing "at least one mounting stud (20) comprising a bulb end portion (22) having a first diameter and a neck portion (between 18 and 22) having a second diameter smaller than the first diameter...."

The Examiner also asserts that "it would have been obvious to one of ordinary skill in the art to use the snap fit mounting means of Ishigami '033 to mount the tilt actuator to the mounting frame in the Ishigami '239 mirror. The motivation for doing this would have been to provide a low cost, easy-to-assemble mirror that does not require additional tools (Ishigami '033 col. 1, lines 61-67)."

With respect to the rejection of claims 11-15, 21-28, and 34-36 over Ishigami '239 in view of Ishigami '033, the Examiner has again failed to support a *prima facie* finding of obviousness. The Examiner has failed to 1) determine the scope and content of the prior art; 2) ascertain the differences between the prior art and the claims at issue; 3) resolve the level of ordinary skill in the pertinent art; and 4) evaluate evidence of

secondary considerations with the requisite explicitness. The Examiner has identified no legally sufficient teaching, suggestion, or motivation that would lead a person of ordinary skill in the art to combine the prior art to meet the claimed subject matter because there is none.

Ishigami '239 discloses a connection assembly for joining two housing shells together comprising rectilinear projecting hooks having a diamond-shaped head adapted to be resiliently retained in J-shaped claws. Ishigami '033 discloses a connection assembly for joining a tilt actuator to a mirror housing comprising a "flat plate-shaped insert-protrusion" insertable into an insertion hole 44. Each of the connection assemblies is perfectly adequate for the connection contemplated in the respective reference. There would be no motivation whatsoever, and there is no teaching or suggestion in either reference, for combining Ishigami '239 with Ishigami '033. Neither connection assembly offers an advantage over the connection assembly already selected in each reference. It is clear that the Examiner is relying on impermissible hindsight reconstruction to pick and choose references, utilizing Applicants' disclosure as a blueprint. This is inadequate and improper for a rejection under 35 U.S.C. § 103(a).

The Examiner's rationale for making the combination is completely contrived. The Examiner asserts that one would have been motivated to use the snap fit mounting means of Ishigami '033 in the assembly of Ishigami '239 "to provide a low cost, easy-to-assemble mirror that does not require additional tools." However, the connection assembly of Ishigami '239 already accomplishes these objectives. Ishigami '239 discloses that an objective of the invention is "to provide a mirror device assembly for a vehicle which aims for lower costs and easier assembly work." *Ishigami '239, pg. 1, ¶[0013]*. Moreover, "costs can be reduced, tools for assembly are unnecessary, the number of assembly processes can be reduced, and the assembly work can be facilitated." *Ibid, pg. 2, ¶[0018]*. These objectives are precisely the objectives asserted by the Examiner for adding the connecting assembly of Ishigami '033 to the mirror assembly of Ishigami '239. Since the connecting assembly of Ishigami '239 already satisfies these

objectives, there would be no rationale for adding the connecting assembly of Ishigami '033 to the mirror assembly of Ishigami '239. The Examiner's rationale is inadequate to support the rejection, and the rejection cannot be sustained.

Even if the combination were proper, which it is not, the resulting device would not reach the invention of claims 11-15, 21-28, or 34-36. Claims 11-15, 21-28, and 34-36, in part, call for a somewhat cylindrical bulb end portion and a generally cylindrical neck portion. As discussed above, neither Ishigami '239 nor Ishigami '033 disclose a cylindrical bulb end portion or cylindrical neck portion. The connectors of Ishigami '239 and Ishigami '033 are rectilinear, trapezoidal, or planar. Thus, no combination of Ishigami '239 and Ishigami '033 could result in a connector comprising a generally cylindrical neck portion and a somewhat cylindrical bulb end portion.

For the above reasons, claims 11-15, 21-28, and 34-36 are patentable over Ishigami '329 in view of Ishigami '033. Applicants request withdrawal of the rejection, and the allowance of claims 11-15, 21-28, and 34-36.

Claims 17-20 and 30-32 stand rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Ishigami '329 in view of Ishigami '033, in further view of Kurz '236. The rejection is traversed.

The Examiner asserts that "the combination of Ishigami '239 and Ishigami '033 discloses or suggests all the limitations of claim 11 as stated supra, but lacks the specifics of the connector including the bulb end portion comprising an annular face having an approximately 45 degree bevel, the neck portion comprising a truncated cone inclined approximately 10 degrees, the aperture comprising a wall inclined approximately 10 degrees, and the stud comprises a bore extending coaxially therethrough." The Examiner then cites Kurz '236 as disclosing a bulb end comprising an annular face having approximately a 45 degree bevel, a neck portion comprising a truncated cone inclined approximately 10 degrees, and a stud comprising a bore extending coaxially therethrough. Finally, the Examiner asserts with respect to the aperture comprising a

wall inclined approximately 10 degrees that “one of ordinary skill would have understood that slightly inclining the aperture wall would allow the stud to be inserted more easily and would reduce vibrations when matched to the incline of the neck portion.”

Finally, the Examiner asserts that one having ordinary skill in the art at the time the invention was made would have been motivated to combine Kurz ‘236 with Ishigami '239 and Ishigami '033 “to provide a secure, removable snap-fit connection that is easy to assemble and helps prevent the transmission of vehicle vibrations to the mirror.”

As discussed above, the Examiner’s attributions relative to Kurz ‘236 are patently false. Nowhere does Kurz ‘236 disclose a bulb end comprising an annular face having an approximately 45° bevel, or a neck portion comprising a truncated cone inclined approximately 10°. Indeed, Kurz ‘236 says nothing of the angle of inclination of an annular face or a neck portion. Because Kurz ‘236 does not disclose the limitations attributed to it by the Examiner, Kurz ‘236 cannot support the rejection. Thus, the rejection must fail.

Moreover, as discussed above, there is no teaching, suggestion, or motivation that would lead a person of ordinary skill in the art to combine Ishigami '239 with Kurz ‘236, or Ishigami '239 with Ishigami '033. There is even less motivation to combine all three references. The Examiner has failed to support the rejection with the requisite explicitness.

Finally, the combination of Kurz ‘236 with Ishigami '239 and Ishigami '033 fails to resolve the deficiencies in the combinations of Ishigami '239 and Kurz ‘236, and Ishigami '239 and Ishigami '033 discussed above. The combination of Kurz ‘236, Ishigami '239, and Ishigami '033, if it could practicably be made at all, would result in a connection having a stud terminating in a ring-like annular wedge-shaped end having opposed inclined surfaces joined at a circumferential apex, wherein the connecting member of the stud does not contact the aperture into which the stud is inserted. This is not the invention of claims 17-20 and 30-32.

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Claims 17-20 and 30-32 are patentable over Ishigami '329 in view of Ishigami '033 and in further view of Kurz '236. Applicants request withdrawal of the rejection, and the allowance of claims 17-20 and 30-32.

Statement of Substance of Interview

A telephone interview was held with the Examiner on July 17, 2007, at which time the Examiner advised the undersigned that the finality of the Office action mailed May 2, 2007, would be vacated in light of the Amendment and Response filed by Applicants on June 25, 2007. The undersigned was advised that a new Office action would be issued. No exhibits were addressed. No claims or prior art were substantively discussed.

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CONCLUSION

Applicants submit that all of the claims remaining in the application are allowable over the prior art of record. Nevertheless, Applicant is filing a Request for Continued Examination contemporaneously herewith pursuant to 37 C.F.R. §1.114. Prompt notification of allowability is respectfully requested. If there are any outstanding issues which the Examiner feels may be resolved by way of telephone conference, the Examiner is cordially invited to contact the undersigned to resolve these issues.

Respectfully submitted,

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